

FILED
U.S. DISTRICT COURT
IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF GEORGIA
DUBLIN DIVISION

20 AUG 19 PM 3:24

TERRELL PORTER,

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CLERK J. Hodges
SO. DIST. OF GA.

Plaintiff,

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v.

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CV 318-069

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DEPUTY SHERIFF ANTHONY WRIGHT,
in his individual capacity;
SHERIFF LARRY DEAN, in his
official capacity; and LAURENS
COUNTY, GEORGIA,

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Defendants.

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O R D E R

Presently pending before the Court is a motion to enforce the settlement agreement. Defendants also sought the production of numerous documents in connection with the deposition of Mr. Spears, Plaintiff's former counsel.¹ These documents are under *in camera* review with respect to Plaintiff's claims of privilege.

In responding to the motion to enforce the settlement agreement, Plaintiff, through counsel, has put his capacity to contract at issue. He argues that he was mentally incapable of contracting, and therefore no settlement agreement could have been reached. Thus, Plaintiff's competency has become a focal point in

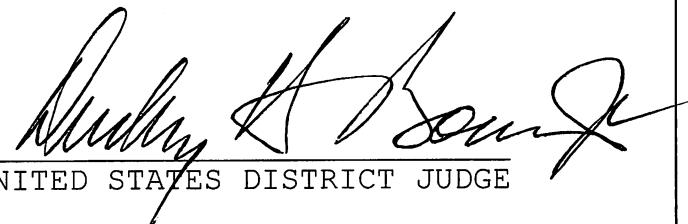
¹ Mr. Spears moved to withdraw as attorney for Plaintiff following Plaintiff's hiring of Ms. Brown. That motion remains pending. Indeed, questions exist regarding the competency of Plaintiff to fire his original lawyers, to hire their replacements, or to dispose of the case through a negotiated settlement.

the Court's inquiries regarding this matter that is contested yet beyond the merits of the case.

To facilitate further exploration and to shed light on the issue of Plaintiff's competency, **IT IS HEREBY ORDERED** that the Parties shall submit to the Court all of Plaintiff's medical records in their possession **in legible form** within **seven (7) days** of this Order.² The Clerk shall retain the records for the Court's review without filing them on the docket.

Further, the Parties are invited to contemporaneously submit a joint, written, and neutral account of the facts and circumstances giving rise to Plaintiff's claims. In this neutral background statement, no advocacy or argument as to Mr. Porter's mental capacity or as to liability will be considered.

ORDER ENTERED at Augusta, Georgia, this 19 day of August, 2020.



UNITED STATES DISTRICT JUDGE

² All too often parties and their counsel in other cases have responded to similar directions by submitting incomplete, disorganized, or unreadable document copies. Counsel are admonished to ensure that documents submitted hereunder are useful to the examiner.